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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,199	12/05/2003	Jan Lewandowski	34968US2	2436
116 7590 07/10/2009 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			EXAMINER CHENG, JACQUELINE	
			ART UNIT 3768	PAPER NUMBER
			MAIL DATE 07/10/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Interview Summary

**Application No.**

10/729,199

**Applicant(s)**

LEWANDOWSKI ET AL.

**Examiner**

JACQUELINE CHENG

**Art Unit**

3768

All participants (applicant, applicant's representative, PTO personnel):

(1) JACQUELINE CHENG.(3) Steve Wentsler (Reg. No.46,403).(2) Long Le.

(4) \_\_\_\_.

Date of Interview: 08 July 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_.

Claim(s) discussed: 1, 12, 14 and 16.

Identification of prior art discussed: Brainard II (US 6,048,320), Takeuchi (Viscoelastic Properties of Middle Ear Effusions From Pediatric Otitis Media with Effusion and Their Relation to Gross Appearance), Greenwood (US 2006/0172734 A1).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner agreed the proposed claims with further amendment to apparatus claim 14 to place structure in the claim instead of "means for using pulse echo amplitudes" would overcome the prior art and would be allowable.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Jacqueline Cheng/  
Examiner, Art Unit 3768

/Long V Le/  
Supervisory Patent Examiner, Art Unit 3768